

Edinburgh Zoning Board of Appeals Minutes
Wednesday, November 5, 2025
6 p.m. Town Hall

Chairman Ron Hamm opened the meeting of the Edinburgh Zoning Board of Appeals with roll call. Members in attendance were Allison Detling, Bill Jones, Greg Stinson, Keith Sells, and secretary Stephanie Taylor. Staff members present were Town Attorney Dustin Huddleston and Planning Director Julie Young.

Keith Sells made the motion to accept the minutes of the October 1, 2025, meeting, as presented. Allison Detling seconded the motion, which carried, 5-0.

Chairman Hamm explained the use of the sign-in sheet and invited those wanting more information about any of tonight's cases to make sure to sign in.

Attorney Huddleston then explained the procedures for speaking before the Board and swore in those who wanted to speak.

Planning Director Julie Young presented **Case ZB 2025-11V Mackenzie R.S. Colvin**, a request for a *Variance from Developmental Standards* for consideration to allow for the construction of a twenty-six (26) foot deep by thirty-five (35) foot wide garage with ten (10) foot side walls at 501 West Park Drive, Edinburgh, Indiana 46124.

Planning Director Young noted that the petitioner had satisfied all documentation requirements, with the exception of the public notice sign on the property. The sign was posted on the property on October 29, 2025. The deadline, per the application packet, was October 25, 2025.

The Board was asked to consider whether to grant a waiver of the requirements from Section 3.3 Notice Requirements of the Rules of Procedures for the Zoning Board of Appeals of the Town of Edinburgh, Indiana, or to continue the case to December 3, 2025.

Keith Sells made the motion to grant the waiver and hear the case on November 5, 2025. Allison Detling seconded the motion, which passed 5-0.

Petitioner Mackenzie Colvin, 501 West Park Drive, Edinburgh, Indiana 46124, then spoke. He explained the need for a garage to hold his truck, car, lawn equipment, along with a workshop area. He noted that with the Town guidelines on garages in residential neighborhoods, he would not be able to pull his truck in; this is why he is asking for the variance. He noted that it will be, at the minimum, ten (10) feet away from the property line.

Chuck Blair, 4971 Bacopa Lane South, Unit 801, St. Petersburg, Florida 33715, spoke against the petition. He said that he owns property at 421 West Park Drive, Edinburgh, Indiana 46124, about five houses down from the Case property. He said he has no problem with the garage, but he questions the need for the ten-foot walls. He said it will look like a commercial building.

Mr. Colvin noted that his truck is seven feet, ten inches in height. With a standard eight-foot door, if he has items in the back of the truck, they may hit the door. A nine-foot door requires ten-foot walls.

He said that if the variance was not approved, he would find a way to work with a nine-foot wall.

There was a question about total height allowed in a residential district being eighteen feet, which was correct. Mr. Colvin was asked if there were any other garages in the neighborhood with ten-foot walls. He noted that there had been one down the street, but high winds took it down a year or so ago.

The Staff Recommendation was to approve this petition, with the following four (4) conditions:

1. That this decision is only granted to the Petitioner, and the Developmental Variance not transferable to any other property owner(s) not directly associated with the Petitioner;
2. That this decision is null and void should the Petitioner fail to develop the subject parcel within two (2) years of the date of the Zoning Board of Appeals Findings of Fact;
3. That the subject structure be compliant with Building Codes adopted by the State of Indiana, and all other requirements of the Edinburgh Zoning Ordinances; and
4. That prior to commencement of any construction at the subject parcel, the Petitioner be issued a Floodplain Permit from the Town of Edinburgh, and submit application for a Building Permit from the Edinburgh Planning Department as applicable.

Keith Sells made the motion that the request be approved, along with the four (4) conditions listed above, but the side walls of the garage must be the standard nine (9) feet.

The motion died due to lack of a second.

Allison Detling made the motion that we approve the petition, with the original request of ten (10) foot walls and the four (4) conditions (listed above). Greg Stinson seconded the motion, which passed 5-0.

Planning Director Young then presented **Case ZB 2025-12UV (Use Variance)**, a request for a Use Variance from the requirements of Division 2, Section 156.036, Table 1, of the Town of Edinburgh Zoning Ordinance to allow for ten (10) total apartments to be added to the second and third floors of the building located at 101 West Main Cross Street, Edinburgh, Indiana 46124. The Zoning Board of Appeals granted a Use Variance for the subject property to allow up to five (5) total apartments to be added to the second and third floors of the building at the May 7, 2025, meeting.

The owner provided the project narrative attached in Exhibit A with the application. The owner states that the construction budget increased due to requirements for a fire sprinkler system and an elevator. Per the project narrative, the increase in construction costs resulted in the request to increase the number of units while reducing the size of the units.

Town of Edinburgh Zoning Ordinance Division 2: District Regulations, (Table 1: Permitted Uses and Special Exceptions; 156.036) does not permit multi-family dwelling uses within the Central Business District. The applicant has applied for a use variance since the use is not granted as a permitted or special use.

The ground floor of the building is currently utilized for two active businesses: Gail's Thrift Store and Sasha Jones Photography.

The proposed floor plan does not identify the location of the elevator, nor the estimated sizes for the apartment units.

Applicant Travis M. Carpenter, 1003 East 106th Street, Carmel, Indiana 46280, spoke. He noted that he had run into a lot of unforeseen obstacles since the meeting in May. He consulted a number of professionals and found two main barriers to his original plan: the necessity of a sprinkler system and the requirement of an elevator due to the necessity of having an ADA unit in the building. He said that his original \$250,000 budget has more than doubled because of these two items.

He added that his construction lender will not fund construction of this as a five-unit building, because of a lack of cash flow from five units. Ten units will be the way to achieve this.

He reminded the Board that he has a parking easement on 115 East Main Cross, which may or may not be enforceable. During the May meeting, the variance was approved, but the parking was not a requirement.

Board members brought up their concerns regarding parking, noting a possibility of two people/vehicles per unit. The downtown area is still crowded, even with a two-hour parking limit. A possibility of Mr. Carpenter specifying that each renter have only one vehicle was suggested. Town Attorney Huddleston said that it could be done, but it would have to be a private matter, not something that came from this Board.

Mr. Carpenter felt that there would be the same or fewer cars as we assumed in May.

Chuck Blair, (address above), spoke against the petition. He noted that he owns several buildings downtown, and he just added one apartment recently. He had to show that he had two parking spots for this unit. He said that he does not see any more parking spots downtown. He would love to see the building improved, but the parking is a big issue.

Regarding Staff Comments, Planning Director Young noted that she made no update to the comments after new information came in, because the applicant did not address the items in order to change her recommendations.

Staff Comments:

1. The Comprehensive Plan calls for limiting residential uses to upper stories in traditionally commercial areas of downtown Edinburgh. This seems to imply that residential uses are acceptable on the upper stories in these commercial areas;
2. The Business Districts section of the Zoning Ordinance mentions being limited to business, public and certain residential uses, yet residential uses are not permitted in the Central Business District;
3. Current existing buildings along Main Cross Street have residential uses in the upper stories of the buildings and do not have on-site parking—relying upon publicly available parking;
4. The petitioner states in the narrative with the application that the need for additional units is a result of increased costs due to the addition of an elevator and a fire sprinkler system. Per the utilities, no discussions have occurred regarding the installation of the fire sprinkler system and potential additional costs;
5. The petitioner states in the narrative that an elevator is required, yet the floor plans submitted do not include an elevator;
6. The petitioner provided an agreement for parking access utilizing 115 East Main Cross Street. No layout of the proposed parking has been provided. It appears a variance will be necessary to utilize this space for parking;
7. The petitioner has not applied for a variance for the number of required parking spaces; and
8. The petitioner has not provided sufficient information to show that the previous obstacles have been resolved. These include information on the sprinkler system and associated utility improvements; elevator location in the building; and parking for tenants.

Based on the following Criteria, the staff recommendation was for denial of the petition for a Use Variance to establish ten (10) residential apartments on the second and third floors of this property being zoned as Central Business District:

1. The approval of this variance will be injurious to the public health, safety, or general welfare; and
2. Adjacent properties to the subject property will be affected in a substantially adverse manner.

Attorney Huddleston reminded the Board that they had three choices to consider:

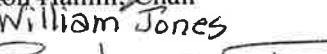
1. Approve the Use Variance with conditions;
2. Deny the petition, using one or more of the criteria presented; or
3. Continue the hearing.

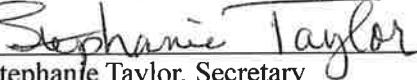
Greg Stinson made the motion to deny the petition, based on the two Criteria listed above. Keith Sells seconded the motion. The vote was 4-1 to deny, with Bill Jones opposing.

Planning Director Young then presented the meeting schedule for 2026. Keith Sells made the motion to accept the schedule as presented. Greg Stinson seconded the motion, which passed 5-0.

There being no other business, Greg Stinson made the motion to adjourn the meeting at 6:38 p.m. Keith Sells seconded the motion, which carried 5-0.


Ron Hamm, Chair


William Jones


Stephanie Taylor

Stephanie Taylor, Secretary

These minutes are a summary of actions taken at the Town of Edinburgh Zoning Board of Appeals meetings. The full video archive of the meeting is available for viewing at <https://www.youtube.com/playlist?list=PL0pagNU7lg5FkjGffQyWphtcPehL-R5g> for as long as this media is supported.